UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/845,382	04/30/2001	Masakazu Hayashi	450100-03199	2746

20999 7590 08/24/2005	EXAMINER
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NEW YORK, NY 10151

ART UNIT	PAPER NUMBER
2677	

DATE MAILED: 08/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>07 February 2005</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>2-5,8,9,11-14,17,18,20-23,26,27,29-32 and 35-37</u> is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>2-5,8,9,11-14,17,18,20-23,26,27,29-32 and 35-37</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☒ All   b)☐ Some * c)☐ None of:

   1.☒ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
   application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

This application has been examined. The claims 2-5, 8-9, 11-14, 17-18, 20-23, 26-27, 29-32, and 35-36 are pending. The examination results are as following.

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2.   Claims 2, 4-5,8-9, 11, 13-14, 18, 20, 22-23, 26-27, 29, 31-32 and 35-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Robertson et al. (US 6,160,553) in view of Enokida et al. (US 6,335,746).

Regarding claims 2,11, 20 and 29, Robertson et al. disclose in figure 9, a display method comprising the steps of dividing specific display area of a display apparatus into a first number areas (see figures 9-10, see multiple thumbnails images and each one associated with own function, see thumbnail 902 associated with Internet Explorer, see column 13, lines 19-62); generating data corresponding to a desired data file which comprises a number of pixels corresponding to the first number of a areas and displaying each of said divided areas in a mode corresponding to contents of said desired data file (see low or high resolution associated with pixels and bit color, see column 12, lines 45-62 and column 13, lines 53-57), and displaying each of the divided areas in a mode corresponding to contents of the desired data file (see figures 9-10, see multiple thumbnails images and each one associated with own function, see col. 13, lines 19-32), However, Robertson et al. does not disclose the generated data represents non-image

data. Enokida et al. discloses a file system having the generated data represents non-image data (see col. 8, lines 61-67). It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the using of non-image data as taught by Enokida et al. into the system of Robertson et al. because this would display of a thumbnail image is not present.

Regarding claims 4, 13, 22 and 31, Robertson et al. discloses in figure 9, a displaying method displaying image information corresponding to a desired data file in a specific display area, comprising the steps of dividing said specific display area into a first number areas (see figures 9-10, see multiple thumbnails images and each one associated with own function, see thumbnail 902 associated with Internet Explorer, see column 13, lines 19-62); and displaying each of said divided areas in a mode corresponding to contents of said desired data file, wherein said first number is a number changed depending on the size of said data (see figure 10A, column 13, lines 19-56). However, Robertson et al. does not disclose the generated data represents non-image data. Enokida et al. discloses a file system having the generated data represents non-image data (see col. 8, lines 61-67) as discussed above.

Regarding claims 5, 14, 23 and 32, Robertson et al. discloses a displaying method, wherein said first number is a number changed in proportion to the size of said data file (see figure 10, column 13, lines 19-56).

Regarding claims 8, 17, 26 and 35, Robertson et al. discloses further, wherein boundaries among said divided areas are blurred after saturation of one or plurality of pixels in each of said divided areas is changed (see figure 10, column 13, lines 19-56).

Regarding claims 9, 18, 27 and 36, Robertson et al. discloses in figure 9, a displaying method displaying image information corresponding to a desired data file in a specific display area, comprising the steps of dividing said specific display area into a first number areas (see figures 9-10, see multiple thumbnails images and each one associated with own function, see thumbnail 902 associated with Internet Explorer, see column 13, lines 19-62); and displaying each of said divided areas in a mode corresponding to contents of said desired data file, wherein said desired data file is a text file, and wherein all or part of the contents of said text file is displayed in the form of text in such a manner to be overlapped to said image in formation (see figure 9).

Regarding claim 37, Robertson et al. discloses further, wherein a size of an area of the first number of areas is smaller than an area corresponding to a thumbnail image because the first number of areas is inside of the thumbnail image.

3.   Claims 3, 12, 21 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Robertson et al. (US 6,160,553) in view of Enokida et al. (US 6,335,746) and in view of Hoffman (US 5,761,655).

Robertson et al. and Enokida disclose every feature of the claimed invention, excluding the divided areas is changed by taking unit data quantities of said data file as data values of red, green, and blue dots of one or a plurality of pixels in each of said divided areas. Hoffman

disclose in figure 5, the divided areas is changed by taking unit data quantities of said data file as

data values of red, green, and blue dots of one or a plurality of pixels in each of said divided

areas (see pixel process routine and RGB values, column 6, lines 63-67 and column 7, lines 1-

13). It would have been obvious to one of ordinary skill in the art at the time the invention was

made to implement the using data values of red, green, and blue of one or a plurality of pixels in

each of said divided areas as taught by Hoffman into the system of Robertson et al. and Enokida

et al. because this would provide the scan increment the original image is changed, and perform

the operation of the routine of Red, Blue and Green color values.

Response To Arguments

3.   Applicant's arguments with respect to claims 2-5, 8-9, 11-14, 17-18, 20-23, 26-27, 29-32,

and 35-37 have been considered but are moot in view of the new ground(s) of rejection.

4.   Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this
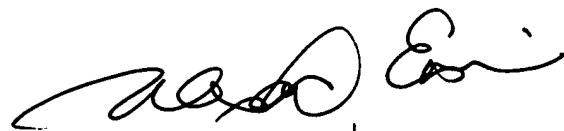
final action.

Correspondence

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Kimnhung Nguyen whose telephone number is (571) 272-7698.

The examiner can normally be reached on MON-FRI, FROM 8:30 AM-5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Patrick Edouard can be reached on (571) 272-7603. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kimnhung Nguyen
August 18, 2005

ALEXANDER EISEN
PRIMARY EXAMINER
TECHNOLOGY CENTER 2600